

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1923 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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MEENAXIBEN MAHENDRABHAI PATEL

Versus

REGIONAL PASSPORT OFFICER OR SUCCESSOR  
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Appearance:

MR CHETAN K PANDYA for Petitioner

MR PAURMI SHETH FOR MR AKSHAY H MEHTA for Respondent No. 1

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CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 16/03/2001

ORAL JUDGEMENT

Rule. Ms. Paurmi Sheth appears for Mr. Akshay  
H. Mehta Sr. Central Government Standing Counsel and  
she waives service of Rule on behalf of the respondent.

2. Heard the learned counsel for the parties.

3. This petition has been preferred for a directions to the respondent authority to issue new passport in File No. C/802574/2000 with correct entry of Birth Date i.e. 19-4-1959 as per the Birth & Death Register at Annexure-E.

4. According to the learned counsel for the petitioner the date of birth of the petitioner is incorrectly mentioned in the School Leaving Certificate as 28-6-1959 which is also stated in the passport. Whereas the correct birth date of the petitioner is 19-4-1959 as per the extract of the Birth and Death Register, issued by the Mamlatdar, Palsana. On the basis of the date of birth mentioned in the said birth certificate the petitioner sought correction with regard to his birth date 19-4-1959 in the passport or to issue a new passport containing the said correct birth date.

5. The petitioner approached the respondent authority for correction of his birth date in the passport but the authority concerned has refused to do and hence the present petition.

6. Considering the facts and circumstances of this case, the petition deserves to be allowed. Accordingly, this petition is allowed and the respondent - Regional Passport Officer, Ahmedabad, is directed to consider and decide the application of the petitioner in accordance with law and to correct the birth date 19-4-1959 of the petitioner's birth certificate Annexure-E issued by the Mamlatdar, Palsana or to issue a new passport containing the correct birth date as 19-4-1959 of the petitioner, within a one month from the date of receipt of writ of this Court or receipt of a certified copy of this order whichever is earlier. The respondent authority would be at liberty to pass appropriate order with regard to costs of the application. Rule is made absolute, with no order as to costs.

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/JVSatwara/